

New Hampshire Liability Statement for Prescriber/Pharmacist/Sub-Account User Access

Statutory Authority:

The New Hampshire Controlled Drug Prescription Health and Safety Program (NH PDMP), created by Chapter 318-B:31-38 of the Controlled Drug Act, authorizes the Board of Pharmacy to design and establish an electronic system to facilitate the confidential sharing of information relating to the prescribing and dispensing of Schedule II, III, and IV controlled substances, by prescribers and dispensers within the state. RSA 318-B:32, I. The purpose of the NH PDMP is to promote public health and safety through the prevention of and treatment for misuse and abuse of controlled substances and the reduction of the diversion of such substances, without interfering with the legal medical use of these substances. Ph 1501.01.

Access to Information:

Ph 1505.02 authorizes the New Hampshire Controlled Drug Prescription Health and Safety Program (NH PDMP) to allow access to registered prescribers and dispensers of controlled substances, or their registered delegate, for the purpose of providing information on a specific patient, and in the case of veterinarians a specific patient's owner(s), both past and present, for which a prescription was written or an appointment was scheduled or conducted.

Unlawful Disclosure: Any person authorized to receive program information who knowingly discloses such information in violation of the NH PDMP shall be subject to discipline by the appropriate regulatory board and to all other relevant penalties under state and federal law. RSA 318-B:36, IV.

Any person authorized to receive program information that use such information for a purpose in violation of the NH PDMP shall be subject to disciplinary action by the appropriate regulatory board and to all other relevant penalties under state and federal law. RSA 318-B:36, V.

- Unauthorized use or disclosure of program information shall be grounds for disciplinary action by the relevant regulatory board. RSA 318-B:36, VI.
 - Any person, who knowingly accesses, alters, destroys, or discloses program information except as authorized in the NH PDMP or attempts to obtain such information by fraud, deceit, misrepresentation, or subterfuge shall be guilty of a class B felony. RSA 318-B:36, VII.
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